

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DR. MELVIN SMITH,

Plaintiff,

No. 23-10872

v.

Hon. Nancy G. Edmunds

REGENTS OF THE UNIVERSITY  
OF MICHIGAN,

Defendants.

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**ORDER REMANDING PLAINTIFF'S STATE LAW CLAIMS**

Plaintiff Dr. Melvin Smith filed this lawsuit against Defendants the Regents of the University of Michigan in the Genesee County Circuit Court, but Defendants removed the action to this Court on April 17, 2023.<sup>1</sup> Plaintiff's complaint brings hostile work environment, race discrimination, and retaliation claims pursuant to both Michigan's Elliott-Larsen Civil Rights Act and Title VII of the Civil Rights Act of 1964.

Because the parties in this matter are nondiverse, the Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. See 28 U.S.C. § 1337(c)(4); *Moor v. Cty. of Alameda*, 411 U.S. 693, 716 (1973); *Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994). Therefore, pursuant to § 1337(c), all of Plaintiff's state law claims, including the claims in Counts I, II, and III of

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<sup>1</sup>The case was originally assigned to the Honorable F. Kay Behm, but it was reassigned to the Honorable Nancy G. Edmunds pursuant to an order of recusal and reassignment. (ECF No. 4.)

his complaint, are hereby REMANDED to the Genesee County Circuit Court. The Court will retain jurisdiction over Plaintiff's federal claims only.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: April 18, 2023

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 18, 2023, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager